

# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. MIT-092DV

First Named Inventor Caplan

Title Variable-Rate Communication System with Optimal Filtering

**APPLICATION ELEMENTS**ADDRESS TO: Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-14501. ☒ Fee Transmittal Form2. ☒ Small Entity Status☐ Applicant claims small entity status☒ Status established in prior application and is still proper and desired3. ☒ Specification and Drawings [Total Pages 48]

- Written Description - (24 pages)

- Claims - (8 pages)

- Abstract - (1 page)

- Sheets of Drawings

☒ Formal (15 sheets)☒ Informal (15 sheets)4. ☒ Oath or Declaration [Total Pages 3]a. ☐ Newly executed (original)b. ☒ Copy from a prior application (37 CFR 1.63(d))

(for continuation/divisional with Box 17 completed)

[Note Box 5 below]

5. ☐ Incorporation by Reference (usable if Box 4b is checked)

The entire Disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

6. ☒ Application Data Sheet [Total Pages 4]7. ☐ Nucleotide and/or Amino Acid Sequence Submission☐ Computer Readable Form (CRF)☐ Paper Copy (identical to computer copy)☐ CD (2 copies) (identical to computer copy)☐ Statement verifying identity of above copies**ACCOMPANYING APPLICATION PARTS**8. ☐ 37 CFR 3.73(b) Statement (when there is an assignee)  
☐ Power of Attorney9. ☐ English Translation Document (if applicable)10. ☒ Information Disclosure Statement (IDS)/PTO-1449  
☐ Copies of IDS Citations11. ☒ Preliminary Amendment (5 pgs. not including drawings)  
☒ Drawings [Total Sheets 15]12. ☒ Return Receipt Postcard (specifically itemized)13. ☐ Certified Copy of Priority Document(s) (if foreign priority claimed)14. ☐ Nonpublication Request Under 35 U.S.C. 122(b)15. ☐ CD in duplicate for large table or computer program16. ☐ Other:  
(i) Transmittal of Formal Drawings  
(ii) Formal Drawings17. ☒ If a CONTINUING APPLICATION: Amend the specification by inserting on page 1, before the first line, the sentence:  
--This is a☐ continuation☒ divisional☐ continuation-in-part of prior application Serial No. 09/261,628, filed on March 3, 1999, which is a nonprovisional of 60/076,732, filed on March 4, 1998, the entire disclosure of which is incorporated by reference herein.--

Priority to the above application(s) is claimed under 35 U.S.C. 120.

Prior application information: Examiner: Not yet assigned. Group/Art Unit: Not yet assigned.

18. ☐ Priority - 35 U.S.C. 119☐ Priority of application Serial No. \_\_\_\_\_ filed on \_\_\_\_\_ in \_\_\_\_\_ is claimed under 35 U.S.C. 119.☐ The certified copy has been filed in prior U.S. application Serial No. \_\_\_\_\_/\_\_\_\_\_ on \_\_\_\_\_.☐ The certified copy will follow.**CORRESPONDENCE ADDRESS**Direct all correspondence to: Patent Administrator  
Testa, Hurwitz & Thibault, LLP  
High Street Tower  
125 High Street  
Boston, MA 02110  
Tel. No.: (617) 248-7000  
Fax No.: (617) 248-7100  
Customer No. 021323**SIGNATURE BLOCK**Date: January 29, 2004  
Reg. No. 41,059  
Tel. No.: (617) 248-7176  
Fax No.: (617) 791-0131

Respectfully submitted,

Ira V. Hefon

Attorney for the Applicants  
Testa, Hurwitz & Thibault, LLP  
High Street Tower  
125 High Street  
Boston, MA 02110



14230 U.S. PTO

Express Mail Label No.: EV 192310587 US

**FEE TRANSMITTAL**  
**FY 2004**

Complete if Known

Application Serial Number	Not Yet Assigned
Filing Date	Herewith
First Named Inventor	Caplan
Group Art Unit	Not Yet Assigned
Examiner Name	Not Yet Assigned
Attorney Docket No.	MIT-092DV

**METHOD OF PAYMENT**

1. ☒ Payment Enclosed:  
☒ Check ☐ Money Order ☐ Other
2. ☒ The Commissioner is hereby authorized to credit or charge any fee indicated below for this submission to Deposit Account No. 20-0531.  
☐ Required Fees (copy of this sheet enclosed).  
☒ Additional fee required under 37 CFR 1.16 and 1.17.  
☒ Overpayment Credit.
3. ☐ Applicant claims small entity status.

**FEE CALCULATION**

**1. FILING FEE**

**Large Entity**

Fee (\$)	Fee Description	Fee Paid
770	Utility filing fee	\$ 770.00
340	Design filing fee	
160	Provisional filing fee	

	Number Filed	Number Extra	Rate	Amount
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Total Claims 1 - 20 = x \$ 18.00 = \$0

Independent Claims 1 - 3 = x \$ 86.00 = \$0

☐ Multiple Dependent Claim(s), if any \$290.00 =

TOTAL: \$ 770.00  
SMALL ENTITY DISCOUNT: \$ 385.00  
SUBTOTAL (1) (\$) 385.00

**2. AMENDMENT CLAIM FEES**

Claims Remaining After Amend.	Highest No. Previously Paid For	Present Extra	Rate	Fee Paid
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Total - = x \$ 18.00 =

Indep. - = x \$ 86.00 =

☐ First Presentation of Multiple Dep. Claim + \$290.00 =

TOTAL: (\$)  
SMALL ENTITY DISCOUNT: (\$)  
SUBTOTAL (2) (\$)0

**FEE CALCULATION (continued)**

**3. ADDITIONAL FEES**

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
130	65	Surcharge - late filing fee or oath	
50	25	Surcharge - late provisional filing fee or cover sheet	
130	130	Non-English specification	
2,520	2,520	Request for ex parte reexamination	
110	55	Extension for reply within first month	
420	210	Extension for reply within second month	
950	475	Extension for reply within third month	
1480	740	Extension for reply within fourth month	
2010	1005	Extension for reply within fifth month	
330	165	Notice of Appeal	
330	165	Filing a brief in support of an appeal	
290	145	Request for oral hearing	
130	130	Petitions to the Commissioner	
180	180	Submission of Information Disclosure Statement	
770	385	Filing a submission after final rejection (37 CFR 1.129(a))	
770	385	For each additional invention to be examined (37 CFR 1.129(b))	
100	100	Certificate of Correction for applicant's error	
110	55	Submission of Terminal Disclaimer	
Other fee (Specify)			
Other fee (Specify)			

SUBTOTAL (3) (\$) 0

SUBTOTAL (1) \$ 385.00  
SUBTOTAL (2) \$0  
SUBTOTAL (3) \$0

TOTAL (\$) 385.00

**CORRESPONDENCE ADDRESS**

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**SIGNATURE BLOCK**

Date: January 29, 2004  
Reg. No.: 41,059  
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Respectfully submitted,

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PATENT  
Attorney Docket No. MIT-092DV

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S):	Caplan <i>et al.</i>	BATCH NO.:	Not Yet Assigned
SERIAL NO.:	Not Yet Assigned	GROUP NO.:	Not Yet Assigned
FILING DATE:	Herewith	EXAMINER:	Not Yet Assigned
TITLE:	Variable-Rate Communication System with Optimal Filtering		

ATTN: Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

TRANSMITTAL OF FORMAL DRAWINGS

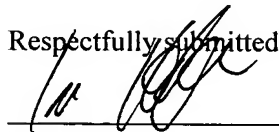
Sir:

Attached are the formal drawing(s) for this application - Number of Sheets - 15.

Date: January 29, 2004  
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Respectfully submitted,



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